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#5 (Response)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Large application of

: Confirmation No. 7678

Kazuyuki NITTA et al.

: Docket No. 2001_1703A

Serial No. 09/987,718

: Group Art Unit 1756

Filed November 15, 2001

: Examiner K. Sagar

METHOD FOR FORMING A HOLE-
PATTERNED PHOTORESIST LAYER

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

This is in response to the Official Action dated March 21, 2003, the period for response having been extended for two months by the attached petition.

With regarding to Official Action paragraphs 1-4, applicants hereby affirm the election of claims 1-4.

With regard to the rejection on obviousness-type double patenting of claim 1 of the present application over claim 11 of copending 09/928,430 in view of Choi et al. (U.S. 6,284,438), there is submitted herewith a Terminal Disclaimer disclaiming the terminal portion of any patent maturing from the present application which extends beyond the expiration date of the copending application.

Claims 1-4 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Choi (U.S. 6,284,438) in view of Bantu (U.S. 6,072,006).

This rejection is respectfully traversed.

The rejection contends that Choi discloses a photolithographic process similar to that claimed in claim 1 except that Choi does not teach a cross-linking agent comprising a divinyl ether

